

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joel Kindem et al                      Art Unit: 2884  
Serial No: 10/776,645                              Examiner: Shun K. Lee  
Filed : February 10, 2004  
TITLE: SCINTILLATOR ASSEMBLY WITH PRE-FORMED REFLECTOR

Response to Notice of Non-Compliant Appeal brief on appeal

Applicant herewith refiles the section entitled "Grounds of Rejection to be Reviewed on Appeal" responsive to the notice of Non-compliant appeal brief dated August 27, 2008.

Grounds of rejection to be reviewed on appeal

Claims 1-7, 11-14, 17-21, 24, 29 and 32-52 are rejected under 35 USC 112 first paragraph as allegedly failing to comply with the enablement requirement.

Claims 1-7, 11-14, 17-21, 24, 29 and 32-52 stand rejected under 35 USC 112, first paragraph as allegedly failing to comply with the written description requirement.

Claim 44 stand rejected under 35 USC 112, second paragraph as allegedly being indefinite.

Claim 9 stand rejected over Freund in view of DiBianca and Skillicorn.

Claim 16 stands rejected over Freund in view of Okane and Hoffman.

Claims 22-23 stand rejected over Freund in view of DiBianca and Skillicorn and further in view of Difilippo.

Claims 25-26 stand rejected based on Freund in view of DiBianca and Skillicorn and in view of O'Kane.

Please charge any fees due in connection with this response,  
(other than any paid concurrently via EFS), to Deposit Account  
No. 50-4376, small entity.

Respectfully submitted,

Date: \_9/27/2008\_\_\_\_\_ \_/Scott C Harris/\_\_\_\_\_  
Scott C. Harris  
Reg. No. 32,030

Customer No. 74162  
Law Office of Scott C. Harris, Inc  
P.O. Box 1389  
Rancho Santa Fe, CA 92067  
Telephone: (858) 756-7778  
Facsimile: (858) 756-7717